

Application No.: 10/816,824
Art Unit: 3742

Attorney Docket No. 3449-0315PUS1
Amendment filed on January 18, 2005
Page 2

AMENDMENTS TO THE DRAWINGS

Attached hereto are two (2) sheets of corrected formal drawings that comply with the provisions of 37 C.F.R. § 1.84. The corrected formal drawings incorporate the following drawing changes:

In Figs. 1 and 2, the legend "Conventional Art" has been added.

It is respectfully requested that the corrected formal drawings be approved and made a part of the record of the above-identified application.

REMARKS

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1-17 are now present in the application. The drawings and claims 1, 5, 6, 9 and 12-15 have been amended. Claims 1, 5, 9 and 15 are independent. Reconsideration of this application, as amended, is respectfully requested.

Priority Under 35 U.S.C. §119

Applicant thanks the Examiner for acknowledging Applicant's claim for foreign priority under 35 U.S.C. §119, and receipt of the certified priority document.

Drawings Objections

The drawings have been objected to due to the lack of a legend on the figures such as "conventional art." Applicant has submitted two (2) sheets of corrected formal drawings to address the Examiner's requested changes. Accordingly, Applicant respectfully submits that these objections have been obviated and/or rendered moot. Reconsideration and withdrawal of the Examiner's drawings objections are respectfully requested.

Claim Rejections Under 35 U.S.C. § 103

Claims 1-17 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Lee, U.S. Patent No. 6,104,016 in view of Fluhrer, U.S. Patent No. 5,074,281 or Liese, U.S. Patent No. 6,578,569. This rejection is respectfully traversed.

A complete discussion of the Examiner's rejection is set forth in the Office Action, and is not being repeated here.

In light of the foregoing amendments to claims 1, 5, 9 and 15, Applicant respectfully submits that this rejection has been obviated and/or rendered moot. While not conceding to the Examiner's rejection, but merely to expedite prosecution, as the Examiner will note, independent claims 1, 5, 9 and 15 have been amended to address the Examiner's rejection.

Independent claim 1 now recites a combination of elements including "the controller outputting a driving signal in response to the amount of the fumes and/or moisture exceeding a first predetermined reference value, the controller stopping outputting the driving signal in response to the amount of the fumes and/or moisture equal to or lower than a second predetermined reference value, the first predetermined reference value being higher than the second predetermined reference value".

Independent claims 5 and 9 now recite a combination of elements including "driving a blower fan when an amount of the detected fumes and/or

moisture... is higher than a first predetermined reference value; and stopping the blower fan when the amount of the detected fumes and/or moisture... is equal to or lower than a second predetermined reference value, the first predetermined reference value being higher than the second predetermined reference value”.

Independent claim 15 now recites a combination of elements including “the blower fan inhaling the air when the amount of the fumes and/or moisture is higher than a first predetermined reference value, the blower fan stopping inhaling the air when the amount of the fumes and/or moisture is equal to or lower than a second predetermined reference value, the first predetermined reference value being higher than the second predetermined reference value”.

Applicant respectfully submits that the combinations of elements as set forth in amended independent claims 1, 5, 9 and 15 are not disclosed or suggested by references relied on by the Examiner.

The Examiner has indicated that Lee fails to disclose the controller determining the amount of fumes/moisture and comparing the amount with a predetermined reference value to control the on-off state of the fan. Lee also fails to disclose the above combinations of elements as set forth in amended independent claims 1, 5, 9, and 15. Instead, Lee only teaches that if the hood sensor 7 detects heat or fumes, the hood motor 30 is driven (see col. 5, lines 43-46). Accordingly Lee fails to teach “a first predetermined reference value”,

“a second predetermined reference value” and “the first predetermined reference value being higher than the second predetermined reference value” recited in amended independent claims 1, 5, 9, and 15.

Fluhrer also fails to cure the deficiencies of Lee. In particular, Fluhrer teaches an ultrasonic transmitter set 6, 7 and 8 and related circuits to output a signal Ua when the steam passes the ultrasonic path 6. The signal Ua is used to generate two switching signals Un+ and Un-, which are delayed in time with respect to the signal Ua (see FIG. 2, col. 3, lines 25-50). The comparators 12 and 13 then compare the signal Ua with these two delayed-in-time switching signals Un+ and Un-, respectively, to control the on-off state of the steam vent hood 2 (see FIGs. 3a and 3b; col. 3, lines 55 to col. 4, lines 1-5). Accordingly, Fluhrer fails to teach “a first predetermined reference value”, “a second predetermined reference value” and “the first predetermined reference value being higher than the second predetermined reference value” recited in amended independent claims 1, 5, 9 and 15 because the magnitudes of these two delayed-in-time switching signals Un+ and Un- vary with the signal Ua and thus are not predetermined reference values.

Liese also fails to teach the above combinations recited in amended independent claims 1, 5, 9 and 15. In particular, Liese teaches that the control device 30 can cut-off the heat energy when a relevant steam value exceeds a predetermined limit value and can reactivate the heat energy when the relevant

steam value returns below the limit value. Accordingly, Liese only teach one predetermined value and fails to teach “a second predetermined reference value” and “the first predetermined reference value being higher than the second predetermined reference value” recited in amended independent claims 1, 5, 9 and 15. Accordingly, Liese also fails to cure the deficiencies of Lee.

Accordingly, none of these references individually or in combination teach or suggest the limitations of amended independent claims 1, 5, 9 and 15. Therefore, Applicant respectfully submits that amended independent claims 1, 5, 9 and 15 clearly define over the teachings of these references.

In addition, claims 2-4, 6-8, 10-14 and 16-17 depend, either directly or indirectly, from independent claims 1, 5, 9 and 15, and are therefore allowable based on their respective dependence from independent claims 1, 5, 9 and 15, which are believed to be allowable.

In view of the above remarks, Applicant respectfully submits that all of the claims clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103 are respectfully requested.

Additional Cited References

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but rather to merely show the state of the art, no further comments are necessary with respect thereto.

CONCLUSION

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area.

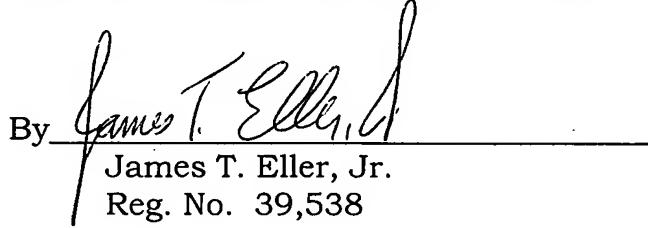
Application No.: 10/816,824
Art Unit: 3742

Attorney Docket No. 3449-0315PUS1
Amendment filed on January 18, 2005
Page 16

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By 

James T. Eller, Jr.
Reg. No. 39,538

JTE/GH/mmi/asc

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P. O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000